

## **REMARKS**

### **1.) Claim Amendments**

Claims 24 and 26-28 have been amended to correct typographical errors with respect to the claim from they depend. No other claims have been amended, added or cancelled.

### **2.) Claim Rejections – 35 U.S.C. §102(e)**

The Examiner rejected claims 12-22, 24-28 as being anticipated by Klehn, *et al.* (US 2005/0096056). The Applicant traverses the rejections.

First, it is to be remembered that anticipation requires that the disclosure of a single piece of prior art reveals **every** element, or limitation, of a claimed invention. Furthermore, the limitations that must be met by an anticipatory reference are those set forth in each statement of function in a claims limitation, and such a limitation cannot be met by an element in a reference that performs a different function, even though it may be part of a device embodying the same general overall concept. Whereas Klehn fails to anticipate each and every limitation of claim 12, claim 12 is not anticipated thereby.

Claim 12 recites:

12. A method for setting up a connection in a system for mobile telecommunications, wherein the following steps are performed by a first call control node:

receiving a call set-up request message comprising an indication of at least two services and an identification of a called party;

sending a routing information request message to a database for storing subscriber data, wherein the request comprises an identification of a first of the at least two services, an identification of the called party, and an indication that at least one further routing request message will be sent;

receiving a response message from the database;

determining that the response message comprises an indication that the database is adapted to process the indication that at least one further routing info request message will be sent;

sending a further routing information request message comprising an identification of a further service, and receiving a further response message;

analysing the received response messages; and,

sending or not in dependence of the result of the analysis a call set-up request message to a further call control node. (emphasis added)

The Applicant's invention relates to requesting more than one service during call set-up, for example to enable fall-back from a first preferred service to a second service if the first service is not available or to switch between services during a connection. To provide this novel function, Applicant introduces a new indicator into the call set-up request message sent to a database storing subscriber data, the indicator indicating that at least one further routing request message will be sent. If the database storing subscriber data is adapted to handle such further routing request for a second ("further") service, the database sends a response message so indicating its capability.

In contrast to Applicant's invention, Klehn relates to a method for the identification of a service requested by a call to a mobile communication unit from or via a fixed network. (Abstract) In a "preferred embodiment," Klehn discloses using two different MSISDN numbers for the mobile terminal; calls to one number can be used to invoke a first service and calls to the second number can be used to invoke another service. (See Figure 2). There is not, however, any teaching of using a single call set-up request message including an indication of at least two services, as recited in claim 12.

In reading the teachings of Klehn onto Applicant's claimed invention, the Examiner generally refers to the complete specification of Klehn without particularly pointing out where each claim limitation is disclosed. For example, with respect to the claimed limitation of "determining that the response message comprises an indication that the database is adapted to process the indication that at least one further routing info request message will be sent," the Examiner references paragraphs 13, 14, 25 and 26, which comprise a portion of the Summary of the Invention section and the complete Detailed Description of the Invention section. The Applicant has reviewed all of Klehn, however, and finds no such teaching. There is absolutely no teaching in Klehn of any of the claim limitations: 1) a receiving a call set-up request message comprising an indication of at least two services, 2) sending a routing information request message to a database for storing subscriber data, wherein the request comprises an identification of a first of the at least two services . . . and an indication that at least one further routing request message will be sent, 3) determining that [a] response message [from

the database] comprises an indication that the database is adapted to process the indication that at least one further routing info request message will be sent, or 4) sending a further routing information request message comprising an identification of a further [*i.e.*, a second] service. Accordingly, Klehn fails to anticipate claim 12.

Similarly, claims 14 and 25 contain analogous novel limitations. Therefore, those claims are also not anticipated by Klehn. Whereas claims 13 and 16-22 are dependent from claim 12; claim 15 is dependent from claim 14; and claims 26-28 are dependent from claim 25, and include the limitations of their respective base claims, those claims are also not anticipated by Klehn.

### 3.) Claim Rejections – 35 U.S.C. §103(a)

The Examiner rejected claim 23 as being unpatentable over Klehn in view of Rasanen (US 2002/0122110). The Applicant traverses the rejection.

As noted *supra*, the Examiner has not established a *prima facie* case of anticipation for claim 12. That claim includes the novel limitations of: 1) a receiving a call set-up request message comprising an indication of at least two services, 2) sending a routing information request message to a database for storing subscriber data, wherein the request comprises an identification of a first of the at least two services . . . and an indication that at least one further routing request message will be sent, 3) determining that [a] response message [from the database] comprises an indication that the database is adapted to process the indication that at least one further routing info request message will be sent, and 4) sending a further routing information request message comprising an identification of a further [*i.e.*, a second] service. Claim 23 is directed to a call control node comprising a message generation unit for generating a first routing information request message with an indication of a first service, an identification of a called party and an indicator that at least one further routing request message will be sent, and for generating at least one further routing request message comprising an indication of a second service. This claim, therefore, relates to a network node that performs the foregoing enumerated steps 2 and 4. As established *supra*, Klehn fails to disclose those steps or functions. Rasanen fails to cure the deficiencies of

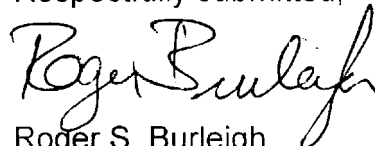
Klehn. The Examiner refers to Rasanen's disclosure of "supplementary call services," but fails to state how such services utilized the functions recited in claim 23, particularly the use of a "routing information request message with an indication of a first service . . . and an indicator that at least one further routing request message will be sent." Whereas this feature of a routing information request message is not taught by Klehn or Rasanen, claim 23 is not obvious in view of those references. Furthermore, whereas claim 24 is dependent from claim 23, and includes the limitations thereof, that claim is also not obvious.

### **CONCLUSION**

In view of the foregoing amendments and remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 12-28.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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